

Sub B3
12. (New) The pneumatic vehicle tire according to Claim 8, wherein each area with the radius TR_2 extends to two points in the outer contour that are symmetrical about the zenith of the tire, the distance TW_2 between which points is determined by the equation $0.15 TW \leq TW_2 \leq 0.9 TW$.

A. cont'd
13. (New) The pneumatic vehicle tire according to Claim 8, wherein said transition area to said shoulder radius takes place at a distance RA from said edges of said tread strip, which is 1.5-14% of the tread width TW .

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14. (New) The pneumatic vehicle tire according to Claim 8, wherein said transition area to said shoulder radius takes place at a distance RA from said edges of said tread strip, which is 3-10% of the tread width TW .

REMARKS

Reconsideration is respectfully requested of the Official Action of March 22, 2002.

A Petition to Revive an unintentionally abandoned application is filed herewith, together with the associated fee.

Applicants express appreciation for the suggestions contained in the Official Action for addressing the issues raised under 35 U.S.C. § 112. Those suggestions have been adopted herein. It is therefore believed that the previous rejection under 35 U.S.C. § 112 is rendered moot.

Claims 1 and 3 have been combined and rewritten as new Claim 8 which is submitted to be patentable in view of the cited prior art.

All rejections under 35 U.S.C. § 102 have been rendered moot by the new claims presented herewith.

The only issue remaining is the patentability of the new claims under 35 U.S.C. § 103 in view of *Tokutake* in view of *Glover* and Japan '223, Japan '808 or Japan '802. Applicants respectfully submit the references do not render the claimed invention *prima facie* obvious. The references relied on in the Official Action show tires with different characteristics; i.e., specific radii of curvature. None show any of the precise relationships set forth in the present claims. That is, the Official Action takes the position that the specific values set forth in the present claims are embraced or overlap with a claimed range. However, the combination of references contain no guidelines enabling a person skilled in the art to arrive at the particular ranges claimed herein.

Claim 8 now includes the features of original Claims 1 and 3 and applicants respectfully submit that a person skilled in the art, without having the benefit of reading this application, would not have been lead to make the selections of the various relationships now defined by the claims by reading the cited references. It is clear that picking and choosing portions of the prior art, while ignoring other portions, to reassemble the components of the claimed invention is not the proper test of obviousness.

As stated in MPEP Section 2141, page 2100-2114, the following tenets must be adhered to:

- (A) The claimed invention must be considered as a whole;
- (B) The references must be considered as a whole and must suggest the desirability and thus, the obviousness of making the combination;
- (C) The references must be viewed without the benefit of impermissible hindsight vision afforded by the claimed invention; and
- (D) Reasonable expectation of success is the standard with which obviousness is determined.

The cited references fail to suggest the desirability of the particular relationships set forth in the claims; nor do they suggest that those particular relationships would lead to a successful tire.

Applicants therefore submit that the rejections are not well founded and should be withdrawn.

Favorable action by the Examiner is respectfully requested.

Respectfully submitted,

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